

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

LAUREN TEMPLE,)	
)	
Plaintiff,)	
)	
v.)	No. 20-05103-CV-SW-DPR
)	
JAGDEEP S. SAHOTA, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is Plaintiff's Motion for Approval of Wrongful Death Settlement. (Doc. 53.) Plaintiff states the parties have reached a confidential settlement of the wrongful death claims against Defendants. Defendants have filed a Response stating they join in the motion. (Doc. 56.)

Under Missouri law, a wrongful death settlement requires court approval. *See* Mo. Rev. Stat. § 537.095. To obtain approval, a plaintiff must demonstrate that: (1) he or she diligently attempted to notify all spouses, children, and parents of the decedent, and if none of those relatives survive, then the siblings of the decedent, *see* Mo. Rev. Stat. § 537.080.1; (2) the settlement amount is fair and reasonable, *see id.* § 537.095.3; and (3) the attorneys' fees are paid in accordance with the Missouri Rules of Professional Conduct, *see* Mo. Rev. Stat. § 537.095.4(2); *see, e.g., Eng v. Cummings, McClorey, Davis & Acho, PLC*, 611 F.3d 428, 435 (8th Cir. 2010).

While discussing potential dates for an evidentiary hearing on the motion, Plaintiff's counsel made the following request via email on October 5, 2021: "[g]iven that the parties are all out of state, including in Canada and Michigan, is it possible that the hearing could be conducted by Zoom or via affidavit?" Upon consideration of this request, to facilitate the Court's review of the proposed settlement without a hearing, Plaintiff is granted leave to file an amended motion

with affidavits in support setting forth facts demonstrating that the settlement conforms with Missouri law. The amended motion may be filed on or before November 5, 2021.

IT IS SO ORDERED.

/s/ David P. Rush
DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE

DATE: October 7, 2021